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UNITED STATES.

MUNICIPAL ORDINANCES, RULES, AND REGULATIONS PERTAINING TO PUBLIC HYGIENE.

[Adopted since Jan. 1, 1910.]

TAMPA, FLA.

**MILK—REGULATION OF PRODUCTION, CARE, AND SALE—APPOINTMENT OF PURE-FOOD,
MEAT, MILK, AND DAIRY INSPECTOR AND ASSISTANTS.**

SECTION 1. The mayor of the city of Tampa shall appoint, and the city council confirm, some suitable person, who shall have had some experience and training in this capacity, as pure food, meat, milk, and dairy inspector, who shall hold office for a period of two years, or until his successor is appointed.

SEC. 2. It shall be the duty of the pure-food, meat, milk, and dairy inspector to see that all the laws and ordinances of the city relating to the inspection of meats, fruit and vegetables, milk, and food offered for sale are carried out. He shall be particularly charged with the duty of enforcing the laws of the city relating to dairies, adulterated foods, and slaughterhouses, and he shall perform all the duties required of him by the laws and ordinances of the said city.

SEC. 3. He shall make monthly written reports to the mayor and the city council of the work done in his department.

SEC. 4. The mayor shall appoint, and the city council confirm, from time to time as may be required, assistants to the pure-food, meat, milk, and dairy inspector, who shall receive such compensation as may be fixed by the city council.

SEC. 5. Each person, firm, or corporation desiring to sell or in any manner to dispose of milk within the city of Tampa shall, before engaging in such business, make application to the office of the pure-food, meat, milk, and dairy inspector for a permit for that purpose, and shall furnish him with a certificate in writing of the number of cows owned or used by him or it in the production of such milk or butter, and the location of the barns, sheds, and stalls in which said cows are fed and milked. And it shall be the duty of the said inspector thereupon to inspect the barns, sheds, stalls, and premises in which said cows are kept, fed, and milked, and to examine, inspect, and test said cows for disease, and if it be ascertained by the said inspector or his assistants that said barns, sheds, and stalls are kept properly constructed and kept as hereinafter provided, and that the said cows are free from injury and disease, as hereinafter provided, it shall be the duty of the said inspector to issue a permit to the applicant to sell milk in the city, for which permit no charge shall be made. Said applicant shall immediately notify the inspector in writing when any additional cows are added to his herd.

SEC. 6. Each person, firm, or corporation who desires to sell or dispose of any milk in any way in the city of Tampa, where said milk is not produced from cows owned or used by him or it, shall before engaging in such business make application at the office of the pure food, meat, milk, and dairy inspector for a permit for that purpose, and shall furnish him with a certificate in writing from a qualified veterinarian, sworn to and subscribed before any person qualified to administer oaths, said certificate showing that said cows producing said milk are free from all injury or disease that would affect the milk, especially any diseases that are communicable to man or produce elevation of systematic temperature, such as tuberculosis (determined by tuberculin test), anthrax, Texas fever, pneumonia, parturient apoplexy (milk fever), malignant catarrh, and all such diseases; and that the veterinarian has examined, entered, and inspected the dairy from which said milk is supplied, and that, in his opinion, the barns, sheds, and stalls in which each cow of the said dairy is fed and milked are properly ventilated, drained, lighted, and cleaned, and that in the

dwelling house or houses of the said premise or premises, who milk said cows or prepare said milk for market there is no typhoid fever or other disease that is likely to be communicated to persons using said milk. In addition to such certificate such person, firm, or corporation shall be required to file with said inspector an affidavit made before any person authorized to administer oaths that to the best of his knowledge, information, and belief the certificate of the veterinarian furnished applies to all cows furnishing milk which is sold or disposed of by said person, firm, or corporation, and it shall be the duty of the pure food, meat, milk, and dairy inspector thereupon to issue the said person, firm, or corporation a permit for the sale of milk within the said city of Tampa, for which permit no charge shall be made.

SEC. 7. If at any time any person, firm, or corporation, who has obtained a permit under the next preceding section desires to sell or otherwise dispose of any milk produced from cows whether included in the affidavit furnished, or not, which are not kept on the premises described in the affidavit furnished, it shall be the duty of the said person, firm, or corporation to furnish an affidavit and certificate as outlined in the next preceding section, covering said cows and said premises before selling or disposing of any of the said milk in the city: *Provided, however,* That the sixth and seventh sections of this ordinance shall not apply to any person, firm, or corporation who is acting simply and solely as the salesman or agent of any person, firm, or corporation who has obtained a permit under the fifth section of this ordinance: *Provided, further,* That when any person, firm, or corporation deals in milk sold or disposed of in any way to him or it, by any person, firm, or corporation who has obtained a permit under the fifth section of this ordinance as to such milk, a copy of such permit may be presented to the pure food, meat, milk, and dairy inspector, and shall be by him accepted in lieu of the veterinarian's certificate required by this ordinance.

SEC. 8. An affidavit of any duly authorized agent of any corporation shall be a sufficient affidavit for the corporation under the provisions of this ordinance. If an affidavit is to be made by a firm, the same shall be made by a member of the firm.

SEC. 9. Any person, firm, or corporation who has obtained a permit under the sixth and seventh sections of this ordinance, or either of them, must obtain additional, new, or fresh certificate or certificates of veterinarian, or affidavit or affidavits at any time on demand of the pure food, meat, milk, and dairy inspector, and upon failure within 10 days after demand in writing from the said inspector to obtain and furnish to him said certificate or certificates and affidavits, any or all, the permit provided for in this ordinance shall be ipso facto forfeited.

SEC. 10. Any person, firm, or corporation who sells or otherwise disposes of milk in this city without a permit shall for each separate offense be fined not more than \$100, and may be imprisoned not exceeding 90 days, one or both.

SEC. 11. The permit provided for in this ordinance shall not entitle any person, firm, or corporation to sell or otherwise dispose of milk in the city without a license, but no license shall be issued to carry on such business, except upon the production of such permit as well as to pay said license fee. The issuance of the permit by the pure food, meat, milk, and dairy inspector shall not create a vested right to do business in the city. The city council hereby reserves the right to renounce the same at any time upon failure or neglect of the party obtaining the same to comply with the terms, provisions, and requirements of this ordinance. Regulations shall be made from time to time as may be deemed advisable by the inspector, who shall report the result of such regulations to the mayor and city council.

SEC. 12. Any person, firm, or corporation who knowingly sells or disposes of milk in any way in the city of Tampa produced from cows not included in the permit as provided for in this ordinance, or from cows whether so included or not, which are not kept, fed, and milked in barns, sheds, or stalls, or premises included in a permit, as provided for in this ordinance, shall be punished as hereinafter provided.

SEC. 13. No person, firm, or corporation shall sell, barter, or offer for sale or barter within the city or the police jurisdiction thereof, any milk which contains more than 87.5 per cent of water, or less than 3.5 per cent of butter fat, and the specific gravity of which at 60° F. shall be between 1.029 and 1.033; all milk of lower grade and quality than specified by this section shall be taken and condemned as adulterated and impure by the pure food, meat, milk, and dairy inspector or his assistants, and the vendor thereof punished as hereinafter provided.

SEC. 14. It shall be unlawful for any person, firm, or corporation, or their servants or agents to sell, exchange, or to have in his or its possession or custody, with the intention to sell or exchange, or expose or offer for sale as pure milk any milk from which the cream or any part thereof has been removed, and all such milk from which the cream or any part thereof has been removed shall be plainly labeled and marked "skimmed milk." Any person or firm or corporation violating the provisions of this section shall be punished as hereinafter provided.

SEC. 15. No person, firm, or corporation shall sell, barter, or offer for sale or barter within the city or within the police jurisdiction thereof, any cream which contains less than 18 per cent of butter fat, and all cream of lower grade and quality than that specified in this section shall be taken and condemned as adulterated and impure by the pure food, meat, milk, and dairy inspector or his assistants, and the vendor thereof punished as hereinafter provided.

SEC. 16. It shall be unlawful to sell or barter, or offer for sale or barter within the city or police jurisdiction thereof any butter which is not made from pure milk or cream; the same shall be free from all chemicals or adulterations and shall comply in all respects with the requirements of the pure-food laws of the State of Florida, and of the United States of America, and any violation of this section shall be punished as hereinafter provided.

SEC. 17. Skimmed milk or separated milk that is sold, bartered, or offered for sale or barter within the city or police jurisdiction thereof by any person, firm, or corporation shall contain not less than 9 per cent of milk solids exclusive of butter fat and shall be plainly labeled "skimmed milk," and all buttermilk shall contain not less than 8.5 per cent of milk solids exclusive of butter fat, and all such milk of lower grade and quality than specified in this section shall be taken and condemned as adulterated and impure by the pure food, meat, milk, and dairy inspector or his assistants, and the vendor punished as hereinafter provided.

SEC. 18. It shall be unlawful to add to milk intended for sale or barter in the city or within the police jurisdiction thereof any chalk, borax, salicylate of soda, ice, water, or other substance or fluid, and it shall be unlawful to sell or barter or offer for sale or barter any milk which has been added to or adulterated as aforesaid, or any impure, adulterated, or unwholesome milk. Any violation of this section shall be punished as hereinafter provided.

SEC. 19. All milk which has been added to or adulterated in any manner as described in the next preceding section shall be taken and condemned as adulterated and impure and the vendor thereof punished as hereinafter provided.

SEC. 20. No person, firm, or corporation shall sell or in any manner dispose of milk or cream in the city produced from cows which are not used from a dairy situated in Hillsboro County, Fla., unless said cows have been tested by a qualified veterinarian with tuberculin for tuberculosis, and a certificate of such fact sworn to before some person authorized to administer oaths has been furnished the inspector; and it shall be unlawful for any person, firm, or corporation to sell or in any manner dispose of milk produced from any cow not so tested. Any violation of this section shall be punished as hereinafter provided.

SEC. 21. The inspector or assistant inspectors shall have the right at any time to enter, examine, and inspect any dairy situated in Hillsboro County, Fla., the owner of which sells or in any manner disposes of milk in the city of Tampa, and to examine, inspect, and test for disease any cow connected with or belonging to the owner or proprietor of such dairy. For any interference with or hindrance of the said inspector or assistants by the owner, proprietor, or his agents the permit provided for by this ordinance shall be, upon the conviction of such owner, proprietor, or agent, for such offense, ipso facto forfeited; any person so hindering or preventing the pure-food, meat, milk, and dairy inspector or his assistants shall be punished as hereinafter provided.

SEC. 22. Cows which produce milk for the Tampa market shall be free from all injury and diseases which would affect the milk, especially all diseases which are communicable to man or produce elevation of systematic temperature, such as tuberculosis, anthrax, Texas fever, pneumonia, parturient apoplexy (milk fever), malignant catarrh, and all such diseases, and it shall be unlawful to sell, barter, or offer for sale or barter milk in the city of Tampa or within the police jurisdiction thereof, from any cows which are not free from all such injury or disease, and any violation of this section shall be punished as hereinafter provided.

SEC. 23. No milk shall be used from a dairy situated in the county of Hillsboro, the owner of which sells or in any manner disposes of milk in the city of Tampa, unless said cows have been tested by the pure food, meat, milk, and dairy inspector or his assistants with tuberculin for tuberculosis. All dairy cows so tested shall be marked in the ear with a tag bearing a serial number and "Tampa, Fla.," and such cow may be retested as aforesaid as the inspector may deem it necessary. And it shall be unlawful to sell or in any manner dispose of milk in the city from any cows which have not been so tested. The owner of said cow or cows so inspected for tuberculosis shall pay the said inspector the sum of \$3 for the first cow inspected and 25 cents for each additional cow so inspected, which said sum shall be paid at the time of inspection. Any violation of this section shall be punished as hereinafter provided.

SEC. 24. The pure food, meat, milk, and dairy inspector, or his assistants, shall have the right to enter, examine, and inspect any place within the city of Tampa, or within the police jurisdiction thereof, where milk is sold, bartered, or offered for sale or bartered, and to inspect and examine, at any time and at any place, any of the said milk. For any interference with or hindrance of the said inspector, or his assistants, by the owner or proprietor, or his agent, the permit provided for in this ordinance shall be revoked, and any person so hindering or preventing the said inspector or his assistants shall be punished as hereinafter provided.

SEC. 25. Dairy cows producing milk for the Tampa market shall not be fed distillery waste, "swill," or any substance in a state of putrefaction or rottenness, or any other substance that is unwholesome or that will in any way affect the healthfulness of the milk; and any person, firm, or corporation who sells milk in the city of Tampa or within the police jurisdiction thereof produced from cows that are fed on distillery waste, or any substance in a state of putrefaction, or containing any substance that is unwholesome, or that will in any way affect the healthfulness of the milk shall be punished as hereinafter provided.

SEC. 26. Each cow used in the production of milk for sale or disposal in the city of Tampa and kept in Hillsboro County, shall be allowed free movement in the open air at least 6 hours each day. The barns, sheds, stalls, and premises in which the cows are fed and milked shall be properly ventilated, lighted, drained, and cleaned, all of which shall be subject to inspection by the pure food, meat, milk, and dairy inspector or his assistants. And any person, firm, or corporation selling, bartering, or offering for sale or barter, milk produced from cows kept in violation of the provisions of this ordinance shall be punished as hereinafter provided.

SEC. 27. If any owner of a dairy situated in Hillsboro County, who sells or in any manner disposes of milk in the city, upon the written demand of the pure food, meat, milk, and dairy inspector fails to properly ventilate, light, drain, or clean, within 10 days, any barn, shed, stalls, or premises in which any cow used for the production of milk for sale or barter is fed and milked, the permit provided for in this ordinance, as well as the license to do business, is ipso facto forfeited.

SEC. 28. If, upon inspection of the pure-food, meat, milk, and dairy inspector or his assistants, as provided for in this ordinance, it is ascertained that any milk cow kept or owned or used in any dairy or on the premises of any dairyman who sells or otherwise disposes of milk within the city has the disease of tuberculosis, it shall be the duty of the said inspector or his assistants to notify the owner of this fact; provided, that the owner of any cow so found, by the inspector to have the disease of tuberculosis shall have the right to call a competent veterinarian, who together with the said inspector shall select a third person, and the three shall reexamine said cow or cows, and if a majority of those examining find that the said cow or cows are so diseased the same shall be disposed of as hereinafter provided, and should a majority not so find that said cow or cows are so diseased they shall not be so disposed of.

SEC. 29. It shall be the duty of the owner upon receiving notice from the inspector that any cow belonging to him and used in a dairy or kept on his premises is diseased with tuberculosis to immediately remove the said cow from said premises, or to kill or otherwise dispose of her.

SEC. 30. If any owner of a dairy fails to remove, kill, or otherwise dispose of a tuberculous cow on receipt of notice from the pure food, meat, milk, and dairy inspector, or his assistants, as provided for in this ordinance, and, after receiving said notice, sells within the corporate limits of the city of Tampa any milk or butter produced from cows owned or used by him, which are fed or milked in any of the barns, sheds, or stalls in which said tuberculous cow is kept, or which are kept on the premises with any tuberculous cow, he shall be punished as hereinafter provided.

SEC. 31. Upon disposing of any diseased cow, as required by this ordinance, the owner shall at once notify the inspector in writing what disposition has been made of the said cow; any violation of this section shall be punished as hereinafter provided.

SEC. 32. Each wagon used in the delivery of milk shall have the name of the owner or proprietor, and the number of the permit under which the business is conducted, painted thereon in prominent letters. All such wagons shall be provided with covers and shall be neat and clean, the interior of such wagons being scrubbed with soap and hot water at least twice per week. The wagons shall be kept neatly painted. No vegetable or waste products shall at any time be hauled in any wagon used for the transportation of milk.

SEC. 33. Dairymen who wish to put a milk of exceptional excellence on the market may be allowed to use the words "certified milk" on their labels, provided that they shall receive from the inspector and the city board of health a certificate of the unusual excellence of said milk, and the inspector shall upon request give such certificate if the conditions respecting such milk hereinafter specified are found to exist. But under

no other circumstances shall such or any other labels likely to mislead the purchaser appear on packages containing milk. All milk sold as sterilized milk shall at all times prove to be such, and dealers purporting to sell sterilized milk shall be suspended from business should their milk be proven not to be sterile. Certified milk shall not contain over 20,000 bacteria per cubic centimeter, and shall at no time contain pathogenic germs; it shall contain 4 per cent of butter fat and other customary ingredients in proportion; it shall not be delivered to customers at a higher temperature than 50° F., and shall always be delivered in sealed packages, and so sealed with a special seal labeled "certified milk." Barn and milk house shall be provided with cement floor or floors of sound heart boards, laid so as to be water tight, and there shall be arrangements of water under pressure to flush said barn and milk house. There shall also be arrangements for steam sterilization of all cans and bottles.

Dealers in certified milk shall be governed by the general rules laid down in preceding sections of this ordinance.

SEC. 34. All applications for license to establish and conduct a dairy depot shall be approved by the pure-food, meat, milk, and dairy inspector before such license is issued.

Any person, firm, or corporation conducting a dairy depot, restaurant, or other place in which milk is sold or otherwise disposed of in this city shall at all times maintain such place or premises in a strictly sanitary condition, such places to be open for inspection at all times during business hours. All ice boxes and refrigerators in which milk is kept shall be kept in a sanitary condition, being scrubbed at least once in each week, said boxes to be drained according to the direction of the inspector. There shall be no closets, hog pens, or quarters for other animals or fowls closer than 100 feet from such dairy depot or place where milk is sold: *Provided*, That this shall not apply to a water-closet properly connected with the city sewerage system, and maintained in a clean, sanitary condition.

Any person conducting a dairy depot or restaurant, or other place in which milk is sold or otherwise disposed of in the city, shall report within 24 hours to the city health officer any illness of any kind whatsoever occurring in his family or among his employees or any person connected with his business in any way, giving name and address of the attending physician. The city health officer shall have the power to suspend temporarily the business of any such place if he deems such action necessary to protect the public health against infection from such case of illness. Milk and cream disposed of in such place shall come up to the standard set forth in the sections of this ordinance.

SEC. 35. In addition to the rules and regulations hereinbefore set out, all persons selling or offering to sell milk in the city, or the police jurisdiction thereof, shall observe and comply with the following requirements:

First. No milk shall be delivered to customers or at any milk depot at a higher temperature than 65° F.

Second. No milk shall be bottled except at a dairy or properly equipped dairy depot, and measures for milk and all milk receptacles shall be kept when not in use in such manner as to be protected from dirt and flies.

Third. No milk shall be strained in a barn or in any other place where the milk will be liable to become contaminated.

Fourth. Every dairy shall be provided with an aerator of approved type, over which milk shall be poured as it is strained, said aerator to be filled with cold water or ice.

Fifth. Dairy cattle shall be prohibited from running on pastures that contain streams, ponds, or other water that shall be found to be contaminated with sewage.

Sixth. Every cow shall have the teats and udder well cleaned before each milking, and all milkers shall wear at each milking overalls or clothing that are clean; each milker shall clean his or her hands thoroughly with soap and water immediately before milking.

Seventh. No milk shall be sold which contains more than 500,000 bacteria per cubic centimeter, and dairy or dairymen whose milk shall be found continually contaminated with pathogenic germs shall be suspended from selling milk in the city, and shall not be allowed to again put his milk on the market until he has procured permission to do so from the pure food, meat, milk, and dairy inspector.

Eighth. Every dairy shall report within 24 hours to the city health officer any case of illness occurring among his family, employees, or any other person connected in any way with his business, giving name of the attending physician. The city health officer shall be empowered to suspend temporarily the business of such dairy, if he thinks such measures necessary to protect the public health, owing to the danger of such infection from such existing illness.

Ninth. All dairy barns shall be properly floored with cement or sound-heart boards, water-tight, and the interior of every barn shall be given a coat of whitewash within 60 days after the passage of this ordinance and in the month of May of each year thereafter.

Tenth. No closets, hog pens, or quarters for other animals or fowls other than a dairy herd shall be allowed closer than 100 feet to such dairy barn, excepting, however, stalls for horses and mules, provided same are separated from dairy barn to the satisfaction of the inspector and are kept in a clean condition.

Eleventh. Every dairyman shall be required to keep his barn adjacent to his lot free from manure, droppings from the cows being gathered once daily, piled in an inclosure not closer than 100 feet to the dairy barn, milk house, or source of water supply, and said lot shall also be kept free from stagnant water and all other objectionable material. All fresh manure placed on the compost heap to be properly limed. All wells, springs, or cisterns supplying water shall be so constructed or situated as to satisfy the inspector it is reasonably free from any source of possible infection.

Twelfth. Each dairy shall be provided with a properly constructed milk house, provided with wire screens for doors and windows and ample arrangements for heating water. Each milk house shall be constructed in such manner that the floors and walls shall be easily cleaned, and shall be kept neat and clean and shall not be used for any other purpose than handling milk or milk products; the said milk house shall have a properly-constructed sink, at which bottles, cans, and other utensils used in handling milk may be washed, and shall be provided with a drain pipe carrying all waste water at least 100 feet from the milk house, water supply, and barn. Said milk house shall be at least 10 feet from any cow stall or stable.

SEC. 36. All milk shall be delivered to customers, other than to milk depots, in bottles, or proper milk receptacles, and shall be bottled or canned before leaving the dairy, and shall be delivered in the bottle or can in which originally placed at the dairy.

SEC. 37. The salary of the pure food, meat, milk, and dairy inspector shall be \$100 per month, and the salary of all assistant inspectors shall be \$75 per month.

SEC. 38. All persons, firms, or corporations owing more than one cow, who sell or barter, or offer for sale or barter any milk within the city shall under the provision of this ordinance be considered a dairy, and subject to all the provisions thereof: *Provided*, That this ordinance shall not apply to widows dependent upon their own exertions for a living, who do not keep more than three cows: *Provided, however*, That section 23 of this ordinance shall apply to every cow from which milk is sold in the city.

SEC. 39. No milk cow shall be sold or offered for sale within the city limits of the city of Tampa or be brought within or to be used within the city limits of the city of Tampa, as a milk cow, until said cow or cows have been inspected by the pure food, meat, milk, and dairy inspector, as provided for in this ordinance, and the vendor of any such cow or cows shall furnish said certificate with each cow sold.

SEC. 40. It shall be the duty of the pure-food, meat, milk, and dairy inspector to report to the chief of police of the city of Tampa any milk bottles or receptacles found in the possession of any person or persons other than the owner or agent of the owner of the said bottles or receptacles.

SEC. 41. It shall be unlawful for any person, firm, or corporation who sells or delivers milk in bottles in the city of Tampa, to remove or accept such milk bottles from the person to whom or the premises where delivered, where there is any case of infectious disease on said premises. All such bottles shall be disinfected under the personal supervision of some health official of the city. All persons receiving milk on any such premises shall furnish proper receptacles for said dairyman into which the milk shall be poured from the original bottle.

SEC. 42. The person or persons in charge or control of such premises shall be responsible for such infection, and it shall be his or her duty to communicate the presence of such bottles to the city health officer or some other health official.

SEC. 43. The pure food, meat, milk and dairy inspector shall, before entering upon his duties, give a good and sufficient bond to the city of Tampa in the sum of \$1,000 for the faithful performance of his duties. Every assistant inspector shall enter into a good and sufficient bond to the city of Tampa in the sum of \$500 for the faithful performance of his duties. The said inspector and each assistant shall deposit with the city treasurer at the end of each month all funds or moneys collected by them or either of them under the provision of this ordinance.

SEC. 44. The following sections of the code of the city of Tampa be, and the same are hereby, repealed, viz: Sections 192 to 195, inclusive, 200 to 207, inclusive, 209 and 211, and the following sections of the code shall be and remain in full force and effect, viz: 190, 191, 196, 197, 198, 199, 208, 210, and 212.

SEC. 45. Each violation of or failure to comply with any provisions of this ordinance shall be punished by a fine of not more than \$200 or by imprisonment for a term not exceeding 90 days, one or both. [Ordinance approved Sept. 9, 1910.]